

Listing of Claims:

This listing of claims will replace all prior versions, and listings of claims, in the application:

1. (currently amended) A computer-implemented method for matching a buy order having a buy order price and a sell order having a sell order price, comprising the steps of:

identifying an NBBO price range, said NBBO price range having a best offer price and a best bid price;

 determining if said buy order price and said sell order price are within said NBBO range;

 determining if said buy order price is not less than said sell order price;

 calculating a midpoint between said buy order price and said sell order price; and

 only matching said buy order and said sell order at said midpoint if said buy order price is not less than said sell order price and said buy order price and said sell order price are within said NBBO range,

said steps being implemented using [[a]] at least one computer.

2. (currently amended) A computer-implemented method for matching a buy order having a buy order price and a sell order having a sell order price, comprising the steps of:

identifying an NBBO price range, said NBBO price range having a best offer price and a best bid price;

determining if said buy order price and said sell order price are within said NBBO range;

determining if said buy order price is not less than said sell order price;

wherein when ~~The method of claim 1, wherein said NBBO range includes a best offer price,~~ said buy order price is not within said NBBO and said sell order price is within said NBBO range, said method further comprising the steps of:

changing said buy order price to a changed buy order price that is equal to said best offer price;

calculating a midpoint between said changed buy order price and said sell order price;

and

~~only matching said buy order and said sell order at said midpoint if said changed buy order price is not less than said sell order price,~~ said steps being implemented using at least one computer.

3. (currently amended) A computer-implemented method for matching a buy order having a buy order price and a sell order having a sell order price, comprising the steps of:

identifying an NBBO price range, said NBBO price range having a best offer price and a best bid price;

determining if said buy order price and said sell order price are within said NBBO range;

determining if said buy order price is not less than said sell order price;

wherein when ~~The method of claim 1, wherein said NBBO range includes a best bid price,~~ said sell order price is not within said NBBO and said buy order price is within said NBBO range, said method further comprising the steps of:

changing said sell order price to a changed sell order price that is equal to said best bid price;

calculating a midpoint between said changed sell order price and said buy order price;
and

~~only matching said buy order and said sell order at said midpoint if said buy order price is not less than said changed sell order price,~~ said steps being implemented using at least one computer.

4. (currently amended) A computer-implemented method for matching a buy order having a buy order price and a sell order having a sell order price, comprising the steps of:

identifying an NBBO price range, said NBBO price range having a best offer price and a best bid price;

determining if said buy order price and said sell order price are within said NBBO range;

determining if said buy order price is not less than said sell order price;

wherein when ~~The method of claim 1, wherein said NBBO range includes a best bid price and a best offer price and~~ said buy order price and said sell order price are not within said NBBO, said method further comprising the steps of:

changing said buy order price to a changed buy order price that is equal to said best offer price;

changing said sell order price to a changed sell order price that is equal to said best bid price;

calculating a midpoint between said changed buy order price and said changed sell order price; and

matching said buy order and said sell order at said midpoint,
said steps being implemented using at least one computer.

5. (currently amended) The method of any of claims claim 1 - 4, wherein said buy order is for a first share amount and said sell order is for a second share amount and wherein the step of matching said buy order and said sell order includes the steps of:

matching said buy order and said sell order up to said first share amount if said first share amount is less than said second share amount; and

only matching said buy order and said sell order up to said second share amount if said second share amount is less than said first share amount.

6. (currently amended) The method of any of claims claim 1 - 4, ~~further comprising a second buy order having a second buy order price above said midpoint and less than said buy order price~~, wherein the step of matching said buy order and said sell order includes the steps of:

determining if there is a second buy order with a second buy order price which is lower than said buy order price and above said midpoint;

calculating a cross point ~~equal to~~ based on said second buy order price ~~plus an increment~~;
and

matching said buy order and said sell order at said cross point.

7. (currently amended) The method of any of claims claim 1 - 4, ~~further comprising a second sell order having a second sell order price below said midpoint and more than said sell order price~~, wherein the step of matching said buy order and said sell order includes the steps of:

determining if there is a second sell order with a second sell order price which is higher than said sell order price and below said midpoint;

calculating a cross point ~~equal to~~ based on said second sell order price ~~minus an increment~~; and

matching said buy order and said sell order at said cross point.

8. (currently amended) The method of any of claims claim 1 - 4, wherein said buy order is selected from a plurality of buy orders each having a buy order price and wherein said buy order price of said selected buy order ~~is greater than said buy order price of any other of~~ has the highest buy order price among said plurality of buy orders.

9. (currently amended) The method of any of claims claim 1 - 4, ~~wherein said buy order is an agency order and~~ further comprising the step of:

selecting said buy order, wherein said buy order is an agency buy order ahead of a second buy order having a second buy order price equal to said buy order price of said buy order wherein said second buy order is a proprietary order.

10. (currently amended) The method of any of claims claim 1 - 4, ~~wherein said buy order is an agency order having an order time and~~ further comprising the step of:

selecting said buy order ahead of a second buy order having a second buy order price equal to said buy order price of said buy order, wherein said buy order is an agency order having an order time and wherein said second buy order is an agency order having a second order time and wherein said order time is prior to said second order time.

11. (currently amended) The method of claim 1, ~~wherein said buy order is a proprietary order having an order time and~~ further comprising the step of:

selecting said buy order ahead of a second buy order having a second buy order price equal to said buy order price of said buy order, wherein said buy order is a proprietary order having an order time and wherein said second buy order is a proprietary order having a second order time and wherein said order time is prior to said second order time.

12. (currently amended) The method of any of claims claim 1 - 4, further comprising the steps of:

~~a crossing network for matching said buy order and said sell order, said crossing network~~
receiving through a crossing network a plurality of pass-through orders and a plurality of passive orders, wherein said passive orders include at least one order selected from the group consisting of: not held designated orders, cross only designated orders and do not represent designated orders; and

attempting to match said buy order and said sell order within said crossing network.

13. (original) The method of claim 12, wherein said buy order and said sell order are included in said plurality of pass-through orders.

14. (original) The method of claim 12, wherein said buy order and said sell order are included in said plurality of passive orders.

15. (original) The method of claim 12, wherein one of said buy order and said sell order is included in said pass-through orders and one of said buy order and said sell order is included in said passive orders.

16. (original) The method of claim 12, wherein said passive orders are blind orders.

17. (currently amended) The method of claim 12, further comprising the step of ~~an order router in communication with said crossing network, said order router in communication with at least one external order destination, wherein said order router~~
~~receives~~ receiving through an order router in communication with said crossing network and in communication with at least one external order destination at least a portion of said pass-through orders from said crossing network; and

~~forwards~~ forwarding through said order router said at least a portion of said pass-through orders to said at least one external order destination.

18. (original) The method of claim 17, wherein said at least a portion of said pass-through orders includes orders that have not been matched by said crossing network.

19. (original) The method of claim 17, wherein a portion of said pass-through orders are forwarded to said at least one external destination after a time delay.

20. (original) The method of claim 1, wherein the step of identifying an NBBO range includes the step of:

receiving an updated NBBO.

21 -36 (canceled)

37. (currently amended) A computer-implemented system for matching a buy order having a buy order price and a sell order having a sell order price, comprising:

at least one computer processor, ~~said processor comprising~~ adapted to:

~~means for identifying~~ identify an NBBO price range, said NBBO price range
having a best offer price and a best bid price;

~~means for determining~~ determine if said buy order price and said sell order price
are within said NBBO range;

~~means for determining~~ determine if said buy order price is not less than said sell
order price;

~~means for calculating~~ calculate a midpoint between said buy order price and said
sell order price; and

~~means for only matching~~ match said buy order and said sell order at said midpoint
if said buy order price is not less than said sell order price and said buy order
price and said sell order price are within said NBBO range.

38. (currently amended) A computer readable storage medium storing instructions for
matching a buy order having a buy order price and a sell order having a sell order price that,
when executed by [[a]] at least one computer, cause the at least one computer to:

identify an NBBO price range, said NBBO price range having a best offer price and a
best bid price;

determine if said buy order price and said sell order price are within said NBBO range;

determine if said buy order price is not less than said sell order price;

calculate a midpoint between said buy order price and said sell order price; and

only match said buy order and said sell order at said midpoint if said buy order price is
not less than said sell order price and said buy order price and said sell order price are within said
NBBO range.

39. (new) The method of claim 6, wherein said cross point is equal to said second buy order
price.

40. (new) The method of claim 6, wherein said cross point is equal to said second buy order
price plus an increment.

41. (new) The method of claim 7, wherein said cross point is equal to said second sell order
price.

42. (new) The method of claim 7, wherein said cross point is equal to said second sell order
price minus an increment.

43. (new) The method of any of claims 1 - 4, wherein said identifying step comprises receiving said NBBO.

44. (new) The system of claim 37, wherein said processor is further adapted to receiving said NBBO.